

Message Text

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ACTION IO-13

INFO OCT-01 AF-08 EUR-12 ISO-00 IOE-00 SSO-00 NSCE-00
USIE-00 INRE-00 SP-02 AID-05 EB-07 NSC-05 CIEP-01
TRSE-00 SS-15 STR-04 OMB-01 CEA-01 CIAE-00 COME-00
FRB-03 INR-07 NSAE-00 XMB-02 OPIC-03 LAB-04 SIL-01
L-03 H-01 PA-01 PRS-01 FTC-01 AGRE-00 /102 W
-----181847Z 083049 /43

O R 181827Z JAN 77
FM AMEMBASSY LONDON
TO SECSTATE WASHDC IMMEDIATE 9606
INFO USMISSION USUN NEW YORK IMMEDIATE
AMEMBASSY PARIS
AMEMBASSY PRETORIA

C O N F I D E N T I A L SECTION 01 OF 02 LONDON 00908

E.O. 11652: XGDS-1
TAGS: PFOR, UK, RH, UN
SUBJECT: RHODESIA SANCTIONS: DRAFT SECURITY COUNCIL
RESOLUTION ON CAPITAL FLOWS

REF: (A) 76 STATE 292205; (B) 76 LONDON 19971

1. MARSTON OF THE FCO RHODESIA DEPARTMENT HAS GIVEN
US THREE PAPERS ON THE QUESTION OF EXTENDING RHODESIA
SANCTIONS TO INCLUDE CAPITAL FLOWS. THE FIRST IS A UN
DRAFT RESOLUTION, THE SECOND IS A DRAFT RECOMMENDATION
AND THE THIRD IS AN INTERNAL FCO BACKGROUND DOCUMENT.
MARSTON TOLD EMBASSY OFFICER THAT THE UN SANCTIONS
COMMITTEE IS ANXIOUS TO FORWARD A DRAFT RESOLUTION OF
THIS KIND TO THE SECURITY COUNCIL BEFORE THE END OF THIS
MONTH. IT WOULD BE SUBMITTED AS PART OF THE COMMITTEE'S
"SECOND SPECIAL REPORT ON THE EXPANSION OF SANCTIONS
AGAINST SOUTHERN RHODESIA." THE FCO WOULD THEREFORE
APPRECIATE OUR COMMENTS ON THE DRAFTSAS SOON AS POSSIBLE
AND MARSTON HOPEFULLY SUGGESTED BEFORE THE END OF THIS
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WEEK.

2. TEXT OF DRAFT RESOLUTION: (LIST OF REF RESOLUTIONS)
REAFFIRMING THAT THE MEASURES PROVIDED FOR IN THOSE
RESOLUTIONS AS WELL AS THE MEASURES INITIATED BY MEMBER
STATES IN PURSUANCE THEREOF, SHALL CONTINUE IN EFFECT,

TAKING INTO ACCOUNT THE RECOMMENDATIONS MADE BY THE SECURITY COUNCIL COMMITTEE ESTABLISHED IN PURSUANCE OF RESOLUTION 253 (1968) CONCERNING THE QUESTION OF SOUTHERN RHODESIA IN ITS SECOND SPECIAL REPORT OF,1977, (S/) ON THE EXPANSION OF SANCTIONS AGAINST SOUTHERN RHODESIA.

REAFFIRMING THAT THE PRESENT SITUATION IN SOUTHERN RHODESIA CONSTITUTES A THREAT TO INTERNATIONAL PEACE AND SECURITY,

ACTING UNDER CHAPTER VII OF THE CHARTER OF THE UNITED NATIONS:

1. DECIDES THAT ALL STATES MEMBERS OF THE UNITED NATIONS SHALL WITHHOLD FACILITIES, AND SHALL TAKE APPROPRIATE MEASURES TO ENSURE THAT THEIR NATIONALS AND PERSONS IN THEIR TERRITORIES WITHHOLD FACILITIES, WHICH WOULD ENABLE THE ILLEGAL REGIME IN SOUTHERN RHODESIA TO TRANSFER FUNDS FOR THE PURPOSES OF ANY OFFICE OR AGENCY ESTABLISHED OUTSIDE SOUTHERN RHODESIA AND PROMOTING THE INTERESTS OR PROPAGATING THE VIEWS OF THAT ILLEGAL REGIME,

2. URGES, HAVING REGARD TO THE PRINCIPLE STATED IN ARTICLE 2 OF THE UNITED NATIONS CHARTER, STATES NOT MEMBERS OF THE UNITED NATIONS TO ACT IN ACCORDANCE WITH THE PROVISIONS OF THE PRESENT RESOLUTION.
END TEXT OF DRAFT RESOLUTION
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3. TEXT OF DRAFT RECOMMENDATION:
THE COMMITTEE RECOMMENDS THE ADOPTION BY THE SECURITY COUNCIL, UNDER CHAPTER VII OF THE CHARTER, OF A RESOLUTION WHICH WOULD REQUIRE MEMBER STATES TO WITHHOLD FACILITIES THEMSELVES, AND TO TAKE APPROPRIATE STEPS TO ENSURE THE WITHHOLDING OF FACILITIES BY THEIR NATIONALS AND PERSONS IN THEIR TERRITORIES, WHICH WOULD ENABLE THE ILLEGAL REGIME TO TRANSFER FUNDS FOR THE PURPOSES OF OFFICES OR AGENCIES ESTABLISHED OUTSIDE OF SOUTHERN RHODESIA AND PROMOTING THE INTERESTS OR PROPAGATING THE VIEWS OF THE ILLEGAL REGIME.
END TEXT OF DRAFT RECOMMENDATION

4. TEXT OF FCO BACKGROUND PAPER:
1. ATTACHED ARE THE TEXTS OF (I) A DRAFT SECURITY COUNCIL RESOLUTION ON CAPITAL FLOWS, (II) A DRAFT RECOMMENDATION THAT MIGHT BE INCORPORATED IN THE SANCTIONS COMMITTEE SECOND SPECIAL REPORT ON THE EXPANSION OF

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C O N F I D E N T I A L SECTION 02 OF 02 LONDON 00908

SANCTIONS WHICH IS SHORTLY TO BE ISSUED. WE ARE NOT
SURE WHETHER THIS LATTER DRAFT IS NECESSARY BUT, IF THE
SANCTIONS COMMITTEE DOES MAKE A RECOMMENDATION IN
GENERAL TERMS, IT IS OBVIOUSLY IMPORTANT THAT THOSE
TERMS SHOULD NOT LEND THEMSELVES TO ANY ARGUMENT THAT
THE RESOLUTION TO BE ADOPTED BY THE COUNCIL SHOULD
RANGE WIDER THAN WHAT WE HAVE IN MIND.

2. AS REGARDS THE TEXTS OF THE TWO DRAFTS, THEY ARE
DELIBERATELY LIMITED IN THREE RESPECTS:

A) THEY WILL CATCH ONLY THE TRANSFER OF FUNDS BY THE
REGIME ITSELF: THEY WILL NOT CATCH THE TRANSFER OF
FUNDS BY COMMERCIAL, SPORTING OR PRIVATE BODIES:

B) THEY WILL CATCH THE TRANSFER OF FUNDS "FOR THE
PURPOSES OF ANY OFFICE OR AGENCY, ETC": THEY WILL
THUS NOT CATCH THE TRANSFER OF FUNDS TO FINANCE
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ACTIVITIES SUCH AS SPORTING TOURS (WHICH WE NOTICED THAT THE DELEGATE OF TANZANIA REFERRED TO AT ONE POINT):

C) THEY WILL CATCH THE TRANSFER OF FUNDS FOR THE PURPOSES OF ANY OFFICE OR AGENCY ... "PROMOTING THE INTERESTS OR PROPAGATING THE VIEWS" OF THE ILLEGAL REGIME: THEY WILL NOT CATCH THE TRANSFER OF FUNDS FOR THE RHODESIAN PENSIONS OFFICE OR ANYTHING LIKE THAT.

3. THE DRAFT TEXTS ARE TO BE DISCUSSED WITH THE AMERICANS, THE FRENCH AND THE AUSTRALIANS, AND THEN FINALLY CLEARED IN THE FCO BEFORE BEING PASSED TO THE SANCTIONS COMMITTEE SECRETARIAT IN NEW YORK.

4. WE HAVE UNDERTAKEN THIS EXERCISE IN VIEW OF THE PRESSURE THAT HAD ARISEN IN THE SANCTIONS COMMITTEE FOR EXTENDING SANCTIONS AND IN ORDER TO DIVERT ATTENTION AWAY FROM CALLS FOR MORE SWEEPING BANS, PARTICULARLY IN THE COMMUNICATIONS FIELD (ARTICLE 41 OF THE UN CHARTER). WE AGREED TO DRAFT THE RESOLUTION IN ORDER TO AVOID THE USE OF MORE EXTREME LANGUAGE IF DRAFTED BY OTHERS. WE DO NOT WISH TO BE FORWARD IN PROMOTING THIS RESOLUTION PARTICULARLY AT THE PRESENT TIME AND REGARD OUR CONTRIBUTION TO ITS DRAFTING AS PRIMARILY TECHNICAL. END OF TEXT OF FCO BACKGROUND PAPER

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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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Disposition History: n/a
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